

IN THE UNITED STATES DISTRICT COURT

FILED
BILLINGS DIV.

FOR THE DISTRICT OF MONTANA

2010 MAR 5 PM 12 14

BILLINGS DIVISION

PATRICK E. DUFFEY, CLERK
BY _____

UNITED STATES OF AMERICA,

CV-09-13-BLG-RFC-CSO DEPUTY CLERK

Plaintiffs,

vs.

RONALD and BEVERLY OHLIN;
STATE OF MONTANA, DEPT.
OF REVENUE; and PORTFOLIO
RECOVERY ASSOCIATES, LLC,

) ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS OF
MAGISTRATE JUDGE AND
ORDER FOR JUDICIAL SALE

Defendants.

)

United States Magistrate Judge Carolyn Ostby has entered Findings and Recommendations (*Doc. 55*) on the Ohlin's Motion to Dismiss Plaintiff's Motion for Summary Judgment (*Doc. 51*). Judge Ostby recommends the motion be denied.

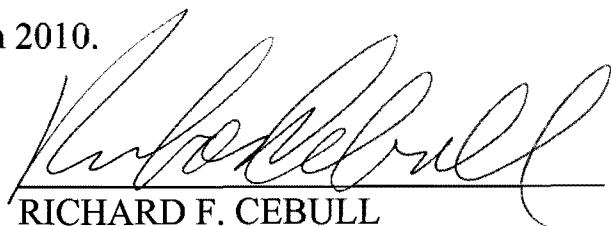
Upon service of a magistrate judge's findings and recommendation, a party has 10 days to file written objections. 28 U.S.C. § 636(b)(1). The time for objection has expired and no objections have been filed. The failure to object waives all objections to the findings of fact, *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1999), but does not relieve this Court of its burden to review de novo the

magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After a reviewing of the record and applicable law, this Court finds Magistrate Judge Ostby's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

IT IS HEREBY ORDERED that the Ohlin's Motion to Dismiss Plaintiff's Motion for Summary Judgment (*Doc. 51*) is **DENIED**.

DATED the 5 st day of March 2010.



RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE